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ACTION EUR-25

INFO OCT-01 ADP-00 NEA-10 CIAE-00 DODE-00 PM-09 INR-10

L-03 NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SS-14 USIA-12

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IO-12 RSR-01 /148 W

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S E C R E T BERLIN 0571

E. O. 11652: GDS

TAGS: MARR, PGOV, WB

SUBJECT: FRENCH BONN GROUP REP PROPOSES REVIEW OF LIVE OAK
PLANS IN LIGHT OF QA AND QD

REF: BONN 4345

1. SUMMARY: AT CONCLUSION OF LIVE OAK CRITIQUE
MARCH 30, FRENCH BONN GROUP REP LUSTIG INVITED ALLIED
AND GERMAN FOREIGN OFFICE REPS TO MEETING ATTENDED BY
GENERAL GOODPASTER AND LIVE OAK CHIEF OF STAFF GENERAL
CROOKENDEN, AT WHICH HE PROPOSED LIVE OAK CONTINGENCY
PLANS BE REVIEWED AGAINST QA AND QD. FOLLOWING UP AMBASSADOR
SOUVAGNARGUES' REMARKS (REFTEL) LUSTIG SUGGESTED
THAT ALLIED MILITARY ACCESS HAD BEEN STRENGTHENED BY
BOTH AGREEMENTS; CONSULTATIVE PROVISIONS OF FQP WOULD
APPLY TO INTERFERENCE WITH ACCESS; THIS MIGHT CALL
FOR " ADJUSTMENTS" IN PREPARING ACCESS PROBES; AND,
IN VIEW OF REAFFIRMATION OF PRACTICES IN QD, NO
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CONSIDERATION SHOULD BE GIVEN TO ACCEPTANCE OF AGENT THEORY. ATTENDEES WERE NONCOMMITTAL, BUT CONSENSUS WAS LUSTIG HAD FLOATED PROPOSAL IN WRONG FORUM.

END SUMMARY.

2. DIPLOMATIC ATTENDEES AT FINAL SESSION OF LIVE OAK CRITIQUE MARCH 30 FOUND UPON THEIR SEATS INVITATIONS TO MEETING LATER IN MORNING CALLED BY FRENCH BONN GROUP REP LUSTIG, " TO DISCUSS THE CHANGING POLITICAL SITUATION AS IT AFFECTS BERLIN." (WE WERE INFORMED THAT LUSTIG HAD ATTEMPTED TO HAVE HIS PROPOSALS PUT ON FORMAL CRITIQUE AGENDA, BUT HAD BEEN TURNED DOWN BY GENERAL GOODPASTER. SESSION, OPENED BY GENERAL GOODPASTER, WAS ATTENDED BY LIVE OAK CHIEF OF STAFF, GENERAL CROOKENDEN, AND ALLIED AND GERMAN REPS FROM CAPITALS, BONN AND BERLIN.

3. LUSTIG TABLED NUMBER OF IDEAS, WHICH HE SAID HAD BEEN DISCUSSED BY AMBASSADOR SAUVAGNARGUES WITH ALLIED AMBASSADORS AND STATE SECRETARY FRANK. HE ARGUED THERE WAS NEED FOR " ADJUSTMENTS" IN LIVE OAK TASKS, INASMUCH AS QA AND QD, IN HIS VIEW, HAD CONSOLIDATED LEGAL SITUATION AS IT CONCERNED ALLIED ACCESS TO BERLIN. HE CITED PROVISION IN PREAMBLE OF QA THAT ALLIED RIGHTS AND RESPONSIBILITIES WERE NOT AFFECTED, AND NOTED THIS WAS BROUGHT INTO SCOPE OF CONSULTATION CLAUSE OF FQP; QD IN TURN HAD ADDED " PRACTICES" WHICH WAS A DEFINITE IMPROVEMENT INASMUCH AS QRR COULD BE CONTESTED BUT PRACTICES WERE MUCH MORE EASILY ESTABLISHED. LUSTIG ALSO POINTED OUT THAT THAT QA APPLIED TO CIVILIAN TRAFFIC AS WELL.

4. LUSTIG SUGGESTED THAT, ALTHOUGH GENERALLY SPEAKING, HE HAD NO PROBLEM WITH LIVE OAK, TEXTS OF PLANS AND POSITIONS SHOULD BE REVIEWED TAKING INTO ACCOUNT WIDER IMPORTANCE OF CONSULTATIVE MECHANISM AND OBLIGATION TO RESORT TO CONSULTATION. ACCORDING TO LUSTIG, MILITARY INTERVENTION WAS NOT EXCLUDED BUT WOULD HAVE TO FOLLOW A CONSULTATIVE PHASE. QUESTION EXISTED AS TO WHERE CONSULTATION WOULD TAKE PLACE: THIS WAS NOT DEFINED IN SECRET

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QA, BUT, IN VIEW OF PRECEDENTS OF QA AND QD NEGOTIATIONS,

IT WAS ASSUMED THAT IT WOULD BE AMONG FOUR AMBASSADORS.

5. IN ADDITION TO THIS GENERAL COMMENT, LUSTIG PROPOSED THAT REAFFIRMATION OF PRACTICES MEANT THAT, IF EAST GERMANS APPEARED AT CHECKPOINTS, WE COULD NO LONGER RESORT TO AGENT THEORY OF BQD 4, EVEN IF SOVIETS DID NOT DENY THEORY. NOW, LUSTIG SAID, WE MUST SAY EAST GERMANS CANNOT BE AGENTS.

6. LUSTIG THEN DISTRIBUTED WRITTEN PRESENTATION (COPIES POUCHED BONN AND DEPARTMENT) AND BRIEF DISCUSSION FOLLOWED. US MISSION REP SAID IT WAS CLEAR LIVE OAK PLANS SHOULD BE REVIEWED IF ONLY TO ASSURE OUTMODDED LANGUAGE WAS NOT USED IN " CANNED" STATEMENTS, BUT HE AND OTHER U. S. COLLEAGUES SAID THEY WERE IN NO POSITION TO COMMENT ON SPECIFICS OF LUSTIG' S PROPOSALS. GERMAN FONOFF REP (NOELDEKE) SAID BONN GROUP WOULD BE BETTER FORUM TO CONTINUE DISCUSSION, BUT US AND UK REPS SAID SOME TRIPARTITE CONSULTATION MIGHT FIRST BE REQUIRED. UK EMBOFF (MINEEFF) ADDED THAT LUSTIG' S IDEAS DID NOT SEEM ALL THAT NEW, INASMUCH AS PRESENT ARRANGEMENTS CLEARLY ALLOWED FOR CONSULTATION. AT THIS POINT GENERAL GOODPASTER AJOURNED THE PROCEEDINGS.

7. COMMENT: WE ARE NOT SURE WHAT FRENCH MOTIVES MAY BE IN ATTEMPTING TO ENGAGE LIVE OAK IN SUPPORT OF THEORIES AS TO IMPACT OF QA AND QD ON CONTINGENCY PLANNING WITHOUT FURTHER REVIEW IN BONN, BUT LUSTIG CLEARLY ENCOUNTERED LACK OF ENTHUSIASM ON PART OF SENIOR LIVE OAK STAFF. FRENCH MISSION HAD INDICATED TO US EARLIER IN WEEK INTENTION TO PURSUE AMBASSADOR SAUVAGNARGUES' INTEREST IN REVIEWING CONTINGENCY PLANS AND LUSTIG SAID QUAI HAD ENDORSED PROJECT. WE WOULD IMAGINE NEXT FOLLOW- UP WILL BE IN BONN.

8. USCOB CONCURS. KLEIN

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